
OLR Bill Analysis

HB 5364

AN ACT PRESERVING ASSETS OF STATE HUMANE INSTITUTION RESIDENTS.

SUMMARY

Beginning July 1, 2024, this bill prohibits the Department of Administrative Services (DAS) commissioner from recovering from a deceased person's estate charges for the aid, care, or treatment the person received in a state humane institution except in the following circumstances:

1. recovery of the charges is required under federal law, or
2. if the billing rate for care in the institution was set using fraudulent information, DAS may recover the difference between the amount billed and paid and the amount that would have been billed if not for fraud.

The bill requires the DAS commissioner to release any liens filed for recovery of charges prohibited under the bill. However, it does not authorize the commissioner to return to any person or estate payments recovered before July 1, 2024, for charges related to care in a state humane institution.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2024

BACKGROUND

State Humane Institutions

A "state humane institution" is a state mental hospital, community mental health center, treatment facility for children and adolescents, or any other facility or program administered by the departments of

Children and Families, Developmental Services, or Mental Health and Addiction Services.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 21 Nay 1 (03/19/2024)